

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-MV/LFG

RIO CHAMA STREAM SYSTEM

Section 1, Chama Mainstream

NOTICE BY RIO CHAMA WATERMASTER

The Rio Chama Watermaster, Antonio Trujillo, by and through the undersigned counsel for the State of New Mexico, hereby gives notice of changes to be described herein in the priority administration of ditches and diversions from the mainstream of the Rio Chama in Section 1 of the Rio Chama Stream System (“Chama Mainstream Section”).

Pursuant to the directive in the *Partial Final Judgment and Decree* (“*Decree*”) entered in the United States District Court on July 26, 1971 for the Chama Mainstream Section (Doc. 1778, ¶ 9 at 6), the Rio Chama Watermaster (George Shaw) prepared rules and regulations for the administration of the Court’s judgment and decree. The proposed *Watermaster’s Rules and Regulations* (“*Rules and Regulations*”) were approved by the Court on May 30, 1972 (Doc. 1949-50). Under the *Rules and Regulations*, the watermaster is required to restrict diversions in the Chama Mainstream Section to the amount of natural flow in accordance with priorities “[i]n the event that there is imported water flowing in the Rio Chama and the natural flow of the Rio Chama is less than the amount required by all diverters.” *Rules and Regulations*, Art. 3-11 at 5.

Since the entry of the *Decree* in 1972, the Court has entered a series of Orders that redetermine priorities in the Chama Mainstream Section. The Rio Chama Watermaster gives notice to all parties that the priority administration of diversions in the Chama Mainstream Section to prevent unauthorized diversion of imported water will conform to the new determinations of priorities. Previously, the priorities used for administrative purposes in the Chama Mainstream Section were as described in the 1996 Watermaster Report, Rio Chama Mainstream Section, attached hereto as Exhibit 1.

If necessary to prevent the unauthorized diversion of imported water, the Rio Chama Watermaster will now restrict diversions from the Rio Chama in the Chama Mainstream Section in accordance with the following priorities:

<u>Ditch or Diversion</u>	<u>Priority</u>	<u>Priority Date</u>
Acequia de Chamita	1	1600*
Acequia de Hernandez	1	1600*
Acequia de los Salazares	1	1600*
Acequia de Chili y la Cuchilla	2	1715
Acequia de los Duranes	3	1724
Acequia de los Martinez	3	1724
Acequia de Manzanares y Montoya	3	1724
Acequia del Rio de Chama	3	1724
Acequia de Jose Ferran	4	1734
Acequia de la Puente	4	1734
Acequia de la Tierra Azul	4	1734
Acequia de los Gonzales	4	1734

Acequia de Quintana	4	1734
Acequia Mariano	4	1734
Acequia Valentin Martinez	4	1734
Acequia de Abeyta y Trujillo	5	1735
Acequia de Jose Pablo Gonzales	5	1735
Acequia de Jose V. Martinez	5	1735
Acequia de Monastery of Christ in the Desert	6	1904
Winfield Morten Ditch	7	1947
Guy H. Scull River Pumps	8	1948

* The priority date of 1600 for water rights served by the Acequias Chamita, Hernandez and Salazares was recommended by Special Master Vickie L. Gabin in the *Special Master's Report and Recommendations on Priorities for Three Acequias* filed on December 16, 2009 (Doc. 9546). The 2009 Special Master's Report has not yet been acted upon by the Court, and the recommended date of 1600 is not a final determination of the priority of the water rights served by those three acequias.

Respectfully submitted,

/s/ Ed Newville
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 18th day of July 2013, I filed the foregoing electronically through the CM/ECF system which caused the parties listed on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail.

/s/ Ed Newville
EDWARD G. NEWVILLE